

HOUSE MESSAGE.

House of Representatives,
Austin, Oct. 1, 1895.

Hon. Geo. T. Jester, President of the Senate:

I am directed by the House to inform the Senate that the House has adopted the following resolution, to-wit:

Be it resolved by the House of Representatives of the Twenty-fourth Legislature of Texas, that the Speaker of the House appoint a committee of three, to act with a like committee from the Senate, for the purpose of notifying the Governor of Texas that the Twenty-fourth Legislature has reassembled and have duly organized in pursuance with his call, and ready for business; that a like committee be appointed to notify the Senate of the organization of the House.

Also, that the following members have been appointed on said committees in accordance with said resolution:

Committee to notify Senate: Messrs. Brigrance, Andrews, Mills.

Committee to notify the Governor: Messrs. Dashiell, Jennings, Gough.

Respectfully,

CHESTER HAILE,
Chief Clerk.

BILLS AND RESOLUTIONS.

By Senator Tips:

A bill to be entitled "An act making an appropriation for mileage and per diem pay of members, and per diem pay of officers and employes of the first called session of the Twenty-fourth Legislature of Texas, convened October 1, 1895, by proclamation of the Governor."

Read first time and referred to Committee on Finance.

By Senator Tips:

A bill to be entitled "An act making an appropriation to defray the contingent expenses of the first called session of the Twenty-fourth Legislature, convened October 1, 1895, by proclamation of the Governor."

Read first time and referred to Committee on Finance.

By Senator Lewis:

A bill to be entitled "An act to prohibit prize-fighting and pugilism, and fights between men and animals."

Read first time and referred to Judiciary Committee No. 2.

By Senator Simpson:

"An act to prohibit prize-fighting, pugilism, bull fighting, dog fighting, cock fighting, or fights between any animals, birds or fowls of whatsoever kind, upon which anything is wagered, or exhibited, to see which an admission fee is

charged; and to provide a punishment therefor."

Read first time and referred to Judiciary Committee No. 2.

By Senator Steele:

Be it resolved, That all Senate committee clerks appointed at the regular session of the Twenty-fourth Legislature be and they are hereby discharged, and that the chairman of any committee needing the services of a clerk is authorized to call upon any officer of the Senate not then engaged to discharge the duties of such clerk; provided, that should the business before any committee require it, the chairman of such committee may appoint a clerk, who shall receive the sum of \$5 per day for his services.

Adopted.

On motion of Senator Whitaker, the Senate adjourned to 10 a. m. tomorrow.

SECOND DAY.

Senate Chamber,
Austin, Texas, Oct. 2, 1895.

Senate met pursuant to adjournment. Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Lasker,
Atlee,	Lawhon,
Bailey,	Lewis,
Beall,	McComb,
Boren,	McKinney,
Bowser,	Rogers,
Colquitt,	Sherrill,
Dean,	Simpson,
Dibrell,	Smith,
Dickson,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.

Absent.

Darwin, Shelburne.
Presler,

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Whitaker, the same was dispensed with.

On motion of Senator Whitaker. Senator Atlee was excused for non-attendance on yesterday.

On motion of Senator Bowser, Senator Rogers was excused for non-attendance on yesterday, on account of important business.

On motion of Senator Dickson, Senator McKinney was excused for non-attendance on yesterday.

On motion of Senator Harrison, Senator Boren was excused for non-attendance on yesterday.

The Chair announced the appointment of Master Ed Morrison as page in place of Huntley Rogan, resigned.

The Chair added Senators Smith, Stafford and Simpson to Judiciary Committee No. 2.

PETITIONS AND MEMORIALS.

By Senator Tips:

A memorial from 800 citizens of Williamson county, asking the speedy passage of a law prohibiting prize fighting within the State of Texas, making the same a felony, and that it be passed with the emergency clause.

Read and referred to Judiciary Committee No. 2.

As the committees were not ready to report the pending bills back to the Senate for its action,

On motion of Senator Smith the Senate took a recess till 11 o'clock a. m. to-day.

AFTER RECESS.

Lieutenant Governor Juster rapped the Senate to order promptly at 11 o'clock, and

On motion of Senator McKinney a further recess of 30 minutes was taken.

AFTER SECOND RECESS.

The Chair rapped the Senate to order, roll called, quorum present, as follows:

Agnew,	Lasker,
Atlee,	Lawhon,
Bailey,	Lewis,
Beall,	McComb,
Boren,	McKinney,
Bowser,	Rogers,
Colquitt,	Sherrill,
Dean,	Simpson,
Dibrell,	Smith,
Dickson,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.

Absent.

Darwin,	Shelburne.
Presler,	

On motion of Senator Simpson, Senator Shelburne was excused from attendance on to-day on account of important business.

COMMITTEE REPORTS.

Committee Room,

Austin, Texas, Oct. 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 3, a bill to be entitled

"An act to prohibit prize fighting and pugilism, and fights between men and animals,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.

AGNEW, Chairman.

Committee Room,

Austin, Texas, October 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 4, a bill entitled "An act to prohibit prize-fighting, pugilism, bull fighting, dog fighting, cock fighting, or fights between any animals, birds or fowls of whatsoever kind, upon which anything is wagered, or exhibited, to see which an admission fee is charged; and to provide a punishment therefor,"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

AGNEW, Chairman.

On motion of Senator Agnew, the Senate adjourned to 3 p. m. to-day.

AFTERNOON SESSION.

The Senate met pursuant to adjournment.

Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Lasker,
Atlee,	Lawhon,
Bailey,	Lewis,
Beall,	McComb,
Boren,	McKinney,
Bowser,	Rogers,
Colquitt,	Sherrill,
Dean,	Simpson,
Dibrell,	Smith,
Dickson,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.

Absent, excused.

Shelburne.

Absent, not excused

Darwin, Presler.

Senator Tips made the following report:

Committee Room,

Austin, Texas, Oct. 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Finance Committee, to whom was referred

Senate bill No. 1, a bill to be entitled "An act to make an appropriation for mileage and per diem pay of members, and per diem pay of officers and employes of the first called session of the Twenty-fourth Legislature, convened October 1, 1895, by proclamation of the Governor."

Have had the same under consideration, and instruct me to report the same back to the Senate with the recommendation that it do pass, with the following amendment:

Amend by striking out "forty" wherever it occurs in the bill, and insert "twenty-five," and that the bill be not printed.

TIPS, Chairman.

BILLS ON SECOND READING.

The Chair laid before the Senate, Senate bill No. 3, being a bill to be entitled "An act to prohibit prize-fighting and pugilism, and fights between men and animals."

Bill read second time.

Pending further action,

Senator Dean moved that consideration of the bill be postponed till 10 a. m. to-morrow.

Lost.

By Senator Colquitt:

Amend the caption in line 5 by inserting the following after the word "animals," "and to provide penalties therefor, and to repeal all laws in conflict therewith."

Adopted.

By Senator Dibrell:

Amend by inserting after the word "and," in line 12, of section 1, the following, "upon conviction."

Adopted.

By Senator Dean:

Strike out all of section 4.

Lost by the following vote:

Yeas—1.

Dean.

Nays—27.

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Rogers,
Bowser,	Sherrill,
Colquitt,	Simpson,
Dibrell,	Smith,
Dickson,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.
Lasker,	

Absent, excused.

Shelburne.

Absent, not excused.

Darwin,

Presler.

Senator Dean offered the two following amendments, which were considered together, to-wit:

(a) Amend section 1 by striking out the following words in lines 14 and 15, to-wit, "or upon the result of which any money or anything of value is bet or wagered."

(b) Amend section 2 by striking out all of said section after the word "value" in line 22.

Lost.

The bill was then ordered engrossed by the following vote:

Yeas—27.

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Rogers,
Bowser,	Sherrill,
Colquitt,	Simpson,
Dibrell,	Smith,
Dickson,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.
Lasker,	

Nays—1.

Dean.

Absent—excused.

Shelburne.

Absent—not excused.

Darwin,

Presler.

On motion of Senator Lewis, the constitutional rule requiring bills to be read on three several days, was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—27.

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Rogers,
Bowser,	Sherrill,
Colquitt,	Simpson,
Dibrell,	Smith,
Dickson,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.
Lasker,	

Nays—1.

Dean.

Absent, excused.

Shelburne.

Absent, not excused.

Darwin,

Presler.

Bill read third time, and passed by the following vote:

Yeas—27.

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Rogers,
Bowser,	Sherrill,
Colquitt,	Simpson,
Dibrell,	Smith,
Dickson,	Stafford,
Gage,	Steele,
Goss,	Tips,
Greer,	Whitaker,
Harrison,	Woods.
Lasker,	

Nays—1.

Dean.

Absent, excused.

Shelburne.

Absent, not excused.

Darwin,

Presler.

Senator Smith moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

The Chair then laid before the Senate, Senate bill No. 1, being a bill to be entitled "An act making an appropriation for mileage and per diem pay of members, and per diem pay of officers and employes of the first called session of the Twenty-fourth Legislature of Texas, convened October 1, 1895, by proclamation of the Governor."

Bill read second time with committee amendment.

Committee amendment (striking out "forty" and inserting "twenty-five") adopted.

Bill ordered engrossed.

On motion of Senator Tips, the constitutional rule requiring bills to be read upon three several days was suspended and the bill put upon its third reading and final passage by the following vote:

Yeas—27.

Agnew,	Lasker,
Atlee,	Lawhon,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Rogers,
Bowser,	Sherrill,
Colquitt,	Simpson,
Dean,	Smith,
Dibrell,	Stafford,
Dickson,	Steele,
Gage,	Tips,
Goss,	Whitaker,
Greer,	Woods.
Harrison,	

Nays—none.

Absent, excused.

Shelburne.

Absent, not excused.

Darwin,
Lewis,

Presler.

Bill read third time, and passed by the following vote:

Yeas—24.

Agnew,	Lawhon,
Beall,	McComb,
Boren,	McKinney,
Bowser,	Rogers,
Dean,	Sherrill,
Dibrell,	Simpson,
Dickson,	Smith,
Gage,	Stafford,
Goss,	Steele,
Greer,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.

Nays—none.

Absent, excused.

Shelburne.

Absent, not excused.

Atlee,
Bailey,
Colquitt,

Darwin,
Lewis,
Presler.

Senator Rogers moved to reconsider the vote by which the bill was passed, and to lay that motion on the table.

Tabled.

Senator Bailey then sent up the following

COMMITTEE REPORTS.

Committee Room,
Austin, Texas, Oct. 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared:

Senate bill No. 3, being "An Act to prohibit prize-fighting and pugilism, and fights between men and animals, and to provide penalties therefor, and to repeal all laws in conflict therewith," and find the same correctly engrossed.

BAILEY, Chairman.

Committee Room,
Austin, Texas, Oct. 2, 1895.

Hon. Geo. T. Jester, President of the Senate:

Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 1, being "An act to make an appropriation for mileage and per diem pay of members and per diem pay of officers and employes of the first called session of the Twenty-fourth Legislature of Texas, convened October

1, 1895, by proclamation of the Governor,"

And find the same correctly engrossed.
BAILEY, Chairman.

On motion of Senator Boren, the Senate adjourned to 10 a. m. to-morrow.

THIRD DAY.

Senate Chamber,
Austin, Texas, Oct. 3, 1895.

Senate met pursuant to adjournment.
Lieutenant Governor Jester in the chair.

Roll called.

Quorum present, the following Senators answering to their names:

Agnew,	Lawhon,
Atlee,	Lewis,
Bailey,	McComb,
Beall,	McKinney,
Boren,	Presler,
Bowser,	Rogers,
Colquitt,	Shelburne,
Dean,	Sherrill,
Dibrell,	Simpson,
Dickson,	Smith,
Gage,	Stafford,
Goss,	Steele,
Greer,	Tips,
Harrison,	Whitaker,
Lasker,	Woods.

Absent, not excused.

Darwin.

Prayer by the Chaplain, Dr. Smoot.

Pending the reading of the Journal of yesterday,

On motion of Senator Sherrill, the same was dispensed with.

On motion of Senator McComb, Senator Presler was excused for non-attendance on Tuesday and Wednesday last, because of sickness in his family.

On motion of Senator Beall, Assistant Sergeant-at-Arms V. F. Pace was excused from attendance on to-day, on account of important business.

BILLS AND RESOLUTIONS.

By Senator McComb:

Be it resolved by the Senate, the House of Representatives concurring, that the special session of Twenty-fourth Legislature of Texas shall be adjourned sine die at 12 o'clock m. on Monday, the 7th day of October, 1895.

On motion of Senator Sherrill, the above resolution was laid upon the table subject to call, by the following vote:

Yeas—16.

Agnew,	Bowser,
Atlee,	Gage,
Beall,	Goss,
Boren,	Harrison,

Lawhon,
Lewis,
McKinney,
Presler,

Sherrill,
Stafford,
Steele,
Woods.

Nays—11.

Bailey,
Colquitt,
Dibrell,
Dickson,
McComb,
Rogers,

Shelburne,
Simpson,
Smith,
Tips,
Whitaker.

Absent, not excused.

Darwin,
Dean,

Greer,
Lasker.

By Senator Bailey:

Whereas, the 3d day of October marked the annual birthday of our illustrious fellow citizen the Hon. F. R. Lubbock; and

Whereas, he has given up the greater portion of his life to the service of the people of Texas, serving them in the capacity of Governor, State Treasurer and in other fiduciary relations; therefore be it

Resolved, that we heartily congratulate him upon attaining his 80th birthday, and that it is our earnest hope and desire that we may for many years to come have the benefit of his counsel and advice both in our political conventions and in our capacity as legislators.

On motion of Senator Colquitt, the above was unanimously adopted by a rising vote.

Senator Simpson called up from the table Senator McComb's concurrent resolution providing for an adjournment sine die on Monday next, at 12 o'clock m., and moved its adoption.

Pending action,

Senator Agnew offered to amend as follows:

Amend by striking out "12 o'clock m." and inserting "11 o'clock a. m."

Senator McComb accepted the amendment, and the same was adopted.

Pending action upon the resolution as amended,

On motion of Senator Steele the further consideration was postponed till 11:15 a. m. to-day.

By consent Senator Lewis offered the following:

Be it resolved by the Senate, the House concurring, whereas the indomitable courage and heroism of the patriots of Cuba in their prolonged and determined struggle for independence has entitled them to the admiration by the civilized world.

And whereas, the struggle of the Cuban patriots is similar to that of our forefathers, in that it is directed against monarchical tyranny and oppressive